

Message Text

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42

ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 AGR-05 COME-00 TAR-01 SP-02

AID-05 EB-07 NSC-05 RSC-01 CIEP-01 TRSE-00 SS-15

STR-01 OMB-01 CEA-01 L-02 PA-01 PRS-01 USIE-00

CIAE-00 INR-05 NSAE-00 H-01 SSO-00 NSCE-00 INRE-00

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O R 171739Z DEC 74

FM USMISSION EC BRUSSELS

TO SECSTATE WASHDC IMMEDIATE 8009

INFO ALL EC CAPITALS 169

LIMITED OFFICIAL USE EC BRUSSELS 9975

E.O. 11652: N/A

TAGS: ETRD, EDC, US

SUBJECT: EC SHIPMENT OF SUBSIDIZED CHEESES TO US

REF: STATE 274092

1. HIJZEN CALLED TUESDAY AFTERNOON, DEC. 17, TO SAY THAT HE HAD FINALLY OBTAINED MEMBER STATE AGREEMENT TO HIS SENDING THE FOLLOWING LETTER TO AMBASSADOR GREENWALD: BEGIN TEXT:

DEAR MR. AMBASSADOR: FOLLOWING THE SUSPENSION BY THE EC ON JULY 12, 1974, OF RESTITUTION PAYMENTS ON THE EXPORT OF DAIRY PRODUCTS TO THE UNITED STATES' ZONE, YOU BROUGHT TO OUR ATTENTION THAT CERTAIN CHEESES ARE BEING IMPORTED FROM THE EUROPEAN COMMUNITY INTO THE CONTINENTAL US AFTER HAVING BEEN PREVIOUSLY IMPORTED INTO (1) PUERTO RICO, THE VIRGIN ISLANDS OR OTHER US POSSESSIONS AND TERRITORIES, AND (2) THIRD COUNTRIES. THESE SHIPMENTS, OF COURSE, RECEIVED THE EC EXPORT RESTITUTION PAYMENT IN EFFECT FOR EXPORTS TO THIRD COUNTRIES. AS YOU KNOW, THE IN-

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TENT OF THE EC COMMON AGRICULTURAL POLICY RULES IS

THAT THE RESTITUTION PAYMENTS ARE MADE IN ORDER TO MAKE IT POSSIBLE TO SELL THE DAIRY PRODUCTS IN THE COUNTRY OF DESTINATION. TRANSHIPMENTS FROM ONE ZONE TO ANOTHER ARE CLEARLY NOT INTENDED BY THESE RULES. THE COMMISSION HAS TAKEN CERTAIN STEPS TO PREVENT THESE SHIPMENTS WHICH MAY APPEAR TO YOU INSUFFICIENT TO SOLVE THE PROBLEM MENTIONED ABOVE. THEREFORE YOU MAY TAKE SUCH ADDITIONAL MEASURES, OTHER THAN COUNTRY-VAIING DUTIES, AS MAY LEGALLY BE POSSIBLE TO PREVENT SHIPMENTS OF CERTAIN CHEESES TO WHICH RESTITUTION PAYMENTS ARE APPLICABLE PROVIDED THAT:

(1) THIS LETTER SHALL NOT BE INVOKED TO PREVENT THE SHIPMENT OR TRANSSHIPMENT OF DAIRY PRODUCTS AS TO WHICH NO RESTITUTION PAYMENTS ARE APPLICABLE.

(2) THIS LETTER SHALL NOT BE INVOKED TO PREVENT DIRECT SHIPMENTS FROM THE EC COUNTRIES DIRECTLY TO ZONE E (CONTINENTAL US).

(3) THIS LETTER MAY BE WITHDRAWN BY US AT ANY TIME ON 20 DAYS NOTICE.
OUR PUBLISHED REGULATIONS INDICATE WHICH DAIRY PRODUCTS ARE BENEFITTING FROM THESE PAYMENTS AT ANY GIVEN TIME. PLEASE ADVISE US WHETHER YOU CONSIDER THIS A SUITABLE BASIS FOR SOLVING OUR PRESENT DIFFICULTIES. SINCERELY YOURS, END TEXT.

2. HIJZEN SAID THAT HE HOPED THE PHRASING OF THE LAST SENTENCE BEFORE THE THREE-NUMBERED CONDITIONS WOULD BE SUFFICIENT TO MEET US LEGAL REQUIREMENTS. IT WAS THE BEST HE COULD NEGOTIATE WITH MEMBER STATE REPS. HIJZEN SAYS HE WILL SEND THE LETTER TO GREENWALD AS SOON AS HE LEARNS THAT THE TEXT IS ACCEPTABLE TO WASHINGTON. I GREENWALD

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DAIRY PRODUCTS, CHEESE, EXPORT CONTROLS
Control Number: n/a
Copy: SINGLE
Draft Date: 17 DEC 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ElyME
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974ECBRU09975
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740366-1189
From: EC BRUSSELS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741230/aaaaazgs.tel
Line Count: 95
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 74 STATE 274092
Review Action: RELEASED, APPROVED
Review Authority: ElyME
Review Comment: n/a
Review Content Flags:
Review Date: 09 APR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <09 APR 2002 by boyleja>; APPROVED <25 MAR 2003 by ElyME>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: EC SHIPMENT OF SUBSIDIZED CHEESES TO US
TAGS: ETRD, US
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005